

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 9-20 are cancelled. Claims 1-8 and 21-48 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

In the Office Action, claims 1-2, 4-6, 8, 21-22, 24-26, 28-30, 32-34, and 36-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Menez (U.S. Patent Application Publication No. 2003/0115606) in view Zenoni (U.S. Patent Application Publication No. 2004/0034873), Sakamoto (Japanese Publication No. JP 09-162821), Dureau (U.S. Patent Application Publication No. 2003/0093806), and Lemmons (U.S. Patent Application Publication No. 2003/0023981). Applicant submits that the claims are patentably distinguishable over the relied on sections of the references.

Independent claims 1, 5, 21, 25, 29, and 33 have each been amended to more clearly show the differences between the claimed features and the relied on art. No new matter has been added by these changes. Support for these changes is found at, e.g., page 31 of the specification.

As amended herein, claim 1 recites:

wherein the receiver

...

(b) when the associated trigger content is triggered by a user while the receiver is receiving the program content associated with the selected one of the plurality of first broadcast channels, (i) switches from receiving over the selected one of the plurality of first broadcast channels to receiving over the second broadcast channel in response to the triggering of the trigger content, (ii) extracts the program to be executed and the one or more identifiers from the associated trigger content, including a designated channel representing a broadcast channel to be switched to in response to the associated trigger content being triggered by the user, a switching

command for causing the receiver to receive the broadcast channel designated in the designated channel, and a module ID and a questionnaire identification number identifying a transaction contents module to be extracted from plural transaction contents modules broadcast on the designated channel, (iii) performs processing using the extracted program, (iv) receives the transaction content provided by the transaction content providing unit over the second broadcast channel, (v) extracts from the received transaction content the one or more templates, and the one or more replacement information associated with the identifiers included in the associated trigger content, and (vi) causes reproduction of at least some of the transaction content based on the extracted templates and the extracted replacement information[.]

(Emphasis added.) Neither the relied on sections of Menez, the relied on sections of Zenoni, the relied on sections of Sakamoto, the relied on sections of Dureau, nor the relied on sections of Lemmons disclose or suggest a receiver extracts a module ID. Moreover, neither the relied on sections of Menez, the relied on sections of Zenoni, the relied on sections of Sakamoto, the relied on sections of Dureau, nor the relied on sections of Lemmons disclose or suggest a receiver extracts a questionnaire identification number. Further, neither the relied on sections of Menez, the relied on sections of Zenoni, the relied on sections of Sakamoto, the relied on sections of Dureau, nor the relied on sections of Lemmons disclose or suggest a receiver extracts a module ID ... identifying a transaction contents module to be extracted from plural transaction contents modules broadcast on a designated channel. Still further, neither the relied on sections of Menez, the relied on sections of Zenoni, the relied on sections of Sakamoto, the relied on sections of Dureau, nor the relied on sections of Lemmons disclose or suggest a receiver extracts ... a questionnaire identification number identifying a transaction

contents module to be extracted from plural transaction contents modules broadcast on the designated channel.

Rather, such sections of Lemmons merely describe that (i) receivers 106 receive content and enhancement information, (ii) a transport trigger URL may be modified to change the enhancement information, (iii) a channel may carry enhancement information for one video program, for a plurality of video programs, or independent of any program, (iv) the channel carrying enhancement information may also carry program guides and other information such as control information which, e.g., may be a video program channel to enhancement channel frequency table. (See ¶¶ [0033] and [0035].) These sections are not concerned with a module ID and are not concerned with a questionnaire identification number.

Neither the relied on sections of Menez, the relied on sections of Zenoni, the relied on sections of Sakamoto, nor the relied on sections of Dureau overcome the deficiencies of the relied-on sections of Lemmons.

It follows, for at least these reasons, that neither the relied on sections of Menez, the relied on sections of Zenoni, the relied on sections of Sakamoto, the relied on sections of Dureau, nor the relied on sections of Lemmons, whether taken alone or in combination, disclose or suggest the combination set out in claim 1. Claim 1 is therefore patentably distinct and unobvious over the relied on sections of the references.

Independent claims 5, 21, 25, 29, and 33 each call for features similar to those set out in the above excerpt of claim 1, and therefore each is patentably distinct and unobvious over the relied on sections of Menez, Zenoni, Sakamoto, Dureau, and Lemmons at least for the same reasons.

Claims 2, 4 and 37-38 depend from claim 1; claims 6, 8, and 39-40 depend from claim 5; claims 22, 24 and 41-42 depend from claim 21; claims 26, 28, and 43-44 depend from claim 25; claims 30, 32, and 45-46 depend from claim 29; and claims 34, 36, and 47-48 depend from claim 33. Therefore, each of these claims is distinguishable over the relied on art for at least the same reasons as the claim from which it depends.

Claims 3, 7, 23, 27, 31, and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Menez in view of Zenoni, Sakamoto, Dureau, and Lemmons and further in view of Cook (U.S. Patent Application Publication No. 2003/0018966). Applicant submits that the claims are patentably distinguishable over the relied on sections of the references.

Claim 3 depends from claim 1, claim 7 depends from claim 5, claim 23 depends from claim 21, claim 27 from claim 25, claim 31 depends from claim 29, and claim 35 depends from claim 33. Therefore, each of the claims is distinguishable over the relied-on sections of Menez, Zenoni, Sakamoto, Dureau, and Lemmons for at least the same reasons.

The relied-on sections of Cook do not overcome the deficiencies of the relied-on sections of Menez, Zenoni, Sakamoto, Dureau, and Lemmons.

Accordingly, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. § 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this

time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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